

Resolution No.: 15-1687
Introduced: November 28, 2006
Adopted: November 28, 2006

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Special Appropriation to the FY07 Capital Budget
Montgomery County
Acquisition: Non-Local Parks (No. 998798)

Background

1. Article 28, Section 2-118(a)(6) of the Maryland Code permits the County Council to amend the budget of the M-NCPPC by resolution on the Council's initiative, or at the request of the Commission, after receipt of a recommendation from the County Executive, and after public hearing upon reasonable notice to the public.
2. Section 308 of the Montgomery County Charter provides that a special appropriation: (a) may be made at any time after public notice by news release; (b) must state that the special appropriation is necessary to meet an unforeseen disaster or other emergency or to act without delay in the public interest; (c) must specify the revenues necessary to finance it; and (d) must be approved by six members of the Council.
3. On August 1, 2006, the Council approved an amendment to the FY07-12 Capital Improvements Program increasing the amount of funding available for this project. The Council deferred appropriation until M-NCPPC provided the Planning, Housing, and Economic Development Committee with further information on park acquisition strategies. M-NCPPC provided the requested information.
4. M-NCPPC requests a special appropriation to the Montgomery County FY07 Capital Budget as follows:

Project Name	Project No.	Cost Element	Amount	Source of Funds
Acquisition: Non-Local Parks	998798	Land	\$2,000,000	Program Open Space

5. The approved FY07 appropriation and expenditures were recommended prior to receipt of the State of Maryland's actual FY07 allocation to Montgomery County, and was based on the allocation known for FY06. The State of Maryland Department of Natural Resources increased the amount of FY07 allocation for Montgomery County.

6. This amendment and special appropriation is needed because of the increase in Program Open Space allocation from the Maryland State Department of Natural Resources. This amendment is consistent with the criteria for amending the CIP because the project leverages significant non-County sources of funds (Program Open Space).
7. Notice of public hearing was given and a public hearing was held.
8. On October 23, 2006 the Planning, Housing, and Economic Development Committee held a worksession to consider M-NCPPC's request and recommended approval.
9. On October 31, 2006, the Council approved Resolution No. 15-1652. Since the resolution provided funding in the M-NCPPC Capital Budget and Non-Local Acquisitions are funded in the County Government Capital Budget, the resolution was reconsidered by the Council on November 28 and readopted as an addition to the County Government Capital Budget.

Action

The County Council for Montgomery County, Maryland, approves the following actions:

1. A special appropriation to the FY07 Capital Budget for Montgomery County is approved as follows:

Project Name	Project No.	Cost Element	Amount	Source of Funds
Acquisition: Non-Local Parks	998798	Land	\$2,000,000	Program Open Space

2. The County Council declares that this action is necessary to act without delay in the public interest.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

PROPOSED**Acquisition: Non-Local Parks -- No. 998798**

Category **M-NCPPC**
 Agency **M-NCPPC**
 Planning Area **Countywide**
 Relocation Impact **None.**

Date Last Modified
 Previous PDF Page Number
 Required Adequate Public Facility

September 21, 2006
 21-6 (03 App)
 NO

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY05	Est. FY06	Total 6 Years	FY07	FY08	FY09	FY10	FY11	FY12	Beyond 6 Years
Planning, Design and Supervision	1,027	0	217	810	135	135	135	135	135	135	0
Land	24,093	0	4,093	20,000	5,000	3,000	3,000	3,000	3,000	3,000	0
Site Improvements and Utilities Construction											
Other	0	0	0	0	0	0	0	0	0	0	0
Total	25,120	0	4,310	20,810	5,135	3,135	3,135	3,135	3,135	3,135	0

FUNDING SCHEDULE (\$000)

POS-Stateside (P&P only)	0	0	0	0	0	0	0	0	0	0	0
Program Open Space	23,967	0	3,967	20,000	5,000	3,000	3,000	3,000	3,000	3,000	0
State DNR (P&P only)	126	0	126	0	0	0	0	0	0	0	0
G.O. Bonds	0	0	0	0	0	0	0	0	0	0	0
Current Revenue: General	1,027	0	217	810	135	135	135	135	135	135	0

ANNUAL OPERATING BUDGET IMPACT (\$000)

Maintenance				80	20	20	20	20	0	0	0
Program-Staff				16	4	4	4	4	0	0	0
Program-Other				0	0	0	0	0	0	0	0
Net Impact				96	24	24	24	24	0	0	0
Workyears				0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

DESCRIPTION

This PDF identifies capital expenditures and appropriations for acquisition of non-local parkland, i.e., acquisitions in stream valley, conservation, regional, recreational, and special parks. This PDF provides latitude to acquire properties consistent with master plans and Commission policies, as properties become available. It also provides for related costs, e.g., surveys and appraisals. Acquisitions scheduled for FY07-12 may include, but are not limited to, additions to: Calthea Farm, Great Seneca Stream Valley Park, Northwest Branch Park, Ridge Road Rec. Park, South Germantown Rec. Park, and Woodstock Equestrian Park. Other acquisitions will be pursued if funds are available.

JUSTIFICATION

The Park, Recreation, and Open Space Master Plan (PROS): A Local Land Preservation and Recreation Plan, approved by the Montgomery County Planning Board in July 1998, area master plans, and functional plans. The Commission acquires as much parkland as possible in "dedication" through the development review process, however, this method does not meet all parkland needs and must be supplemented by a direct land acquisition program.

Cost Change

Increase due to the expected increase in Program Open Space funds, and the addition of FY11 and FY12 to this ongoing project.

STATUS

Ongoing.

OTHER

*Expenditures will continue indefinitely.

FISCAL NOTE

FY06 Special Appropriation for \$1,921,000 additional Program Open Space funding. FY07 Amendment and Special Appropriation for additional \$2,000,000 Program Open Space funding.

**APPROPRIATION AND
EXPENDITURE DATA**

Date First Appropriation	FY99	(\$000)
Initial Cost Estimate		0
First Cost Estimate		
Current Scope	FY99	0
Last FY's Cost Estimate		9,588
Present Cost Estimate		25,120
Appropriation Request	FY07	3,135
Appropriation Req. Est.	FY08	3,135
Supplemental Appropriation Request	FY07 07	2,000
Transfer		0
Cumulative Appropriation		2,389
Expenditures/ Encumbrances		0
Unencumbered Balance		2,389
Partial Closeout Thru	FY04	13,964
New Partial Closeout	FY05	2,091
Total Partial Closeout		16,055

COORDINATION

Acquisition: Local PDF 767828
 Legacy 2000 PDF 018710
 M-NCPPC asserts that this project conforms to the requirements of relevant local plans as required by the Maryland Economic Growth, Resource Protection and Planning Act.

MAP